

September 30, 1933

Mr. W. J. Jamieson,  
National Recovery Administration Office,  
319 Professional Building,  
Phoenix, Arizona

Dear Sir:

A Mr. L. M. Fitzhugh, an architect, has recently requested the Attorney General's office to advise your office as to which two apparently conflicting sections of the code relating to the issuance of school bonds, would prevail.

As you know, Section 2662, R. C. A. 1928, indicates that these bonds are to run for a period of forty years, whereas Section 1015, R. C. A. 1928, indicates that such bonds are to run for a period of twenty years. It is difficult to reconcile these two sections as both of them have been contained in the code since before 1928, however, I do find an apparent approval from our own Supreme Court of the procedure outlined by Section 1015 and related sections, R. C. A. 1928. The case is known as Alexander vs. Phillips, cited 31 Arizona 505 (1927).

It would, therefore, be my advice and opinion that the procedure outlined in Sections 1015, namely, the twenty year limitation upon the bonds, is the wisest and safest procedure to follow.

Yours very truly,

Attorney General

JPC/UD

Assistant Attorney General

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